UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:11-CR-00403-FDW

UNITED STATES OF AMERICA)	
)	
v.)	
)	<u>ORDER</u>
JAMES POWELL,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on Defendant's Motion for Compassionate Release. (Doc. No. 72.) The United States responded, (Doc. No. 76), and this matter is ripe for ruling. While Defendant's motion for compassionate release was pending, Defendant filed a motion to reduce his sentence under Amendment 821 to the United States Sentencing Guidelines. (Doc. No. 81.) This Court granted that motion and reduced Defendant's sentence to time-served effective February 1, 2024. (Doc. No. 85.) Consistent with the Court's Order, Defendant has now been released from the custody of the Bureau of Prisons. See https://www.bop.gov/inmateloc/ (last visited Feb. 5, 2024). After reviewing the specific relief Defendant requests in his motion for compassionate release and the arguments and evidence provided in support thereof, the Court DENIES AS MOOT Defendant's motion.

IT IS THEREFORE ORDERED that Defendant's Motion for Compassionate Release (Doc. No. 72), is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: February 5, 2024

Frank D. Whitney United States District Judge